

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION**  
**South Carolina Board of Chiropractic Examiners Board Meeting**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Room 108**  
**Columbia SC 29211**

**Thursday, May 21, 2015**

**Board Members Present:**

Ralph D. Roles, D.C., Chairman  
John R. McGinnis, D.C., Vice Chair  
Richard D. Heavner, D.C.  
Jeanne McDaniel-Green, D.C.  
Joseph Carew, D.C.  
Douglas B. Hughes, Jr., D.C.  
David H. Mruz, D.C.  
Norman E. Ouzts, D.C.  
Patricia Weaver, Public Member

**Absent Members:**

None

**Staff Present:**

Mary League, Esquire, Advice Counsel  
Veronica Reynolds, Administrator  
Shaun Strother, Board Assistant

Public notice of this meeting was properly posted at the South Carolina Board of Chiropractic Examiners, Synergy Business Park, Kingstree Building 110 Centerview Drive, Room 108 Columbia, SC 29211 and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

**Call to Order**

Dr. Roles, Chairman, called the meeting to order at 9:12 a.m. The meeting was held in Room 108 located in the Synergy Business Park, Kingstree Building at 110 Centerview Drive, in Columbia, South Carolina 29211

**Approval of the Agenda:**

**Motion:** In open session, Dr. McGinnis made a motion to add case number 2014-24. The motion was seconded and approved.

**Motion:** In open session, Dr. McGinnis made a motion to approve the agenda as amended. The motion was seconded and approved.

**Approval of the Minutes**

**Motion:** In open session, Dr. Hughes made a motion to approve the minutes with corrections to the titles of the licensees names. The motion was seconded and approved.

## New Business

**Office of Investigations and Enforcement (OIE) Report:** Mr. Sanders, Chief Investigator of OIE office presented the statistic report there were eleven (11) cases for dismissal, eight (8) formal complaints, and seven (7) letter of cautions. He presented twenty six (26) cases to the Board.

## IRC Recommendations

Dr. Mruz recused himself from all proceedings involving the following case:

**Case #: 2015-5**

**Motion:** In open session, Dr. Green made a motion to accept the IRC recommendations for dismissal. The motion was seconded and approved.

Dr. Mruz rejoined the Board proceedings.

**Case #:**

- 2012-36
- 2013-29
- 2013-31
- 2013-58
- 2013-64
- 2013-65
- 2014-14
- 2014-15
- 2014-88
- 2014-93

**Motion:** In open session, Dr. McGinnis made a motion to accept the IRC recommendations for dismissals. The motion was seconded and approved.

**Case#:**

- 2013-33
- 2014-10
- 2014-19
- 2014-31
- 2014-41
- 2014-45
- 2014-80
- 2014-91

**Motion:** In open session, Dr. Ouzts made a motion to accept the IRC recommendations as formal complaints. The motion was seconded and approved.

**Case #:**

- 2013-61
- 2014-2
- 2014-55
- 2014-72
- 2014-78
- 2015-19
- 2015-20

**Motion:** In open session, Dr. Green made a motion to accept the IRC recommendations to accept the letters of caution. The motion was seconded and approved.

The Board reviewed the statistical report as information only.

**Motion:** In open session, Dr. Ouzts made a motion to clarify the intent of the Chiropractic Examiners Regulation Section 25-8 to mean the following: When medical services are being advertised and are being provided by the medical provider, that the chiropractor's credentials are not necessary to be listed in the advertisement. Unless, when the advertisement includes a general advertisement for the clinic with the names and credentials. The motion was seconded and approved.

**Finance Report and Ethic Commission:** Ms. Reynolds, Board Administrator presented the financial report.

**Motion:** In open session, Dr. Ouzts made a motion to amend the agenda and move the Reconsideration of prior order. The motion was seconded and approved.

**Reconsideration of Prior Order**

**Matthew Miller, DC:** The purpose of this hearing was to determine should Dr. Miller be granted reconsideration of a prior order. Dr. Miller made a personal appearance before the Board and was represented by counsel.

**Motion:** In open session, Dr. Carew made a motion to go into executive session to receive legal advice from counsel. The motion was seconded and approved.

**Executive Session:** No votes were taken during executive session. [9:58 a.m. – 10:01 a.m.]

**Motion:** In open session, Dr. Carew made a motion to come out of executive session. The motion was seconded and approved.

**Motion:** In open session, Dr. Ouzts made a motion that Dr. Miller request be denied. The motion was seconded and approved.

**Office of General Council (ODC) Report:** Ms. Flannery presented the Office of Disciplinary Council (ODC) statistical report indicating there were twenty-eight (28) open cases: seven (7) pending action, ten (10) pending Board actions today, four (4) pending consent agreements or memorandum of agreements, seven (7) pending scheduled hearings and eleven (11) closed since November 2014.

## **Disciplinary Hearings**

### **Consent Agreements**

**Case # 2012-38:** The respondent did not make a personal appearance before the Board. Ms. Flannery, Office of Disciplinary Council presented the consent agreement to the Board.

**Motion:** In open session, Dr. Ouzts made a motion to go into executive session to receive legal advice from counsel. The motion was seconded and approved.

**Executive Session:** No votes were taken during executive session. [10:08 a.m. – 10:12 a.m.]

**Motion:** In open session, Dr. Hughes made a motion to come out of executive session. The motion was seconded and approved.

**Motion:** In open session, Dr. Hughes made a motion to accept the consent agreement. The motion was seconded and approved.

**Case # 2012-39:** The respondent did not make a personal appearance before the Board. Ms. Flannery, Office of Disciplinary Council presented the consent agreement to the Board.

**Motion:** In open session, Dr. McGinnis made a motion to accept the consent agreement. The motion was seconded and approved.

Dr. Ouzts recused himself from all proceedings involving the following case: **2012-47**

**2012-47:** The respondent did not make a personal appearance before the Board. Ms. Flannery, Office of Disciplinary Council presented the consent agreement to the Board.

**Motion:** In open session, Dr. Carew made a motion not to accept the consent agreement. The motion was seconded and approved.

Dr. Ouzts rejoined the Board proceedings.

Dr. McGinnis recused himself from all proceedings involving the following case: **2012-48**

**2012-48:** The respondent did not make a personal appearance before the Board.  
Ms. Flannery, Office of Disciplinary Council presented the consent agreement to the Board.

**Motion:** In open session, Heavner made a motion to accept the consent agreement. The motion was seconded and approved.

Dr. McGinnis rejoined the Board proceedings.

Dr. Ouzts recused himself from all proceedings involving the following case: **2013-10**

**2013-10:** The respondent did not make a personal appearance before the Board.  
Ms. Flannery, Office of Disciplinary Council presented the consent agreement to the Board.

**Motion:** In open session, Dr. Carew made a motion to accept the consent agreement. The motion was seconded and approved.

Dr. Ouzts rejoined the Board proceedings.

Dr. Mruz recused himself from all proceedings involving the following case: **2014-05**

**2014-05:** The respondent did not make a personal appearance before the Board.  
Ms. Flannery, Office of Disciplinary Council presented the consent agreement to the Board.

**Motion:** In open session, Dr. Ouzts made a motion to accept the consent agreement. The motion was seconded and approved.

Dr. Mruz rejoined the Board proceedings.

**2014-83:** The respondent did not make a personal appearance before the Board.  
Ms. Flannery, Office of Disciplinary Council presented the consent agreement to the Board.

**Motion:** In open session, Dr. Hughes made a motion to accept the consent agreement. The motion was seconded and approved.

**2014-24:** The respondent did not make a personal appearance before the Board.  
Ms. Flannery, Office of Disciplinary Council presented the consent agreement to the Board.

**Motion:** In open session, Dr. Hughes made a motion to accept the consent agreement. The motion was seconded and approved.

2012-37: The respondent did not make a personal appearance before the Board.  
Ms. Flannery, Office of Disciplinary Council presented the consent agreement to the Board.

**Motion:** In open session, Dr. Mruz made a motion to accept the consent agreement. The motion was seconded and approved.

2014-87: The respondent did not make a personal appearance before the Board.  
Ms. Flannery, Office of Disciplinary Council presented the consent agreement to the Board.

**Motion:** In open session, Dr. Mruz made a motion to accept the consent agreement. The motion was seconded and approved.

**Break:** Board took a short break. [10:50 a.m. – 11:00 a.m.]

### **Application Hearing**

**Walter Bahr, DC:** The purpose of this hearing was to determine if Dr. Bahr should be granted a Chiropractic license. Dr. Bahr did not make a personal appearance before the Board.  
Ms. Reynolds, Board Administrator informed the Board that Dr. Bahr called and requested that his application be withdrawn. The Board noted as public record that Dr. Bahr withdrew his application and no action was taken by the Board.

### **Board Order Compliance**

**Stafford Keels, DC and Dana Brown, DC:** The purpose of this hearing was to determine if Dr. Keels and Dr. Brown complied with the Board order issued to them. Dr. Keels and Dr. Brown made a personal appearance before the Board and were not represented by counsel.

**Motion:** In open session, Dr. Heavner, made a motion to go into executive session to receive legal advice from counsel. The motion was seconded and approved.

**Executive Session:** No votes were taken during executive session. [11:07 a.m. – 11:20 a.m.]

**Motion:** In open session, Dr. Ouzts made a motion to come out of executive session. The motion was seconded and approved.

**Motion:** In open session, Dr. McGinnis made a motion that both Dr. Brown and Dr. Keels licenses be immediately suspended with conditions. The motion was seconded and approved.

### **Discussion Topics**

**a. Update from South Carolina Chiropractic Association (SCCA):** The Board discussed SCCA. The association has been in the process of reviewing the Board's Practice Act and Regulations as directed by the Board Chair.

**b. Appoint Expert Reviewers:** The Board discussed the appointment of expert reviewers. The Board voted to appoint Dr. Harvey Garcia and Dr. Ronald Grisanti to serve as expert reviewers pending both accept.

**c. Resolution Guidelines:** The Board discussed resolution guidelines. The Board selected the following three (3) Board members to serve on the Subcommittee of the Board: Dr. Carew, Dr. Mruz and Dr. Hughes.

**d. Highlights from FCLB/NCBE Education Conference:** The Board discussed highlights from FCLB/NBCE Education Conference.

**Motion:** In open session, Dr. Green made a motion to appoint Dr. Roles and Dr. McGinnis as representatives for the FCLB District Meeting in September 2015.

**Motion:** In open session, Dr. Ouzts made a motion that Ms. Reynolds Board Administrator, attend the FCLB District Meeting in September 2015 pending the State approval and if she is available.

**e. Federation of Associations of Regulatory Boards (FARB):** The Board discussed the Federation of Associations of Regulatory Boards (FARB).

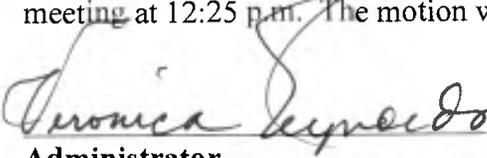
**Motion:** In open session, Dr. Heavner made a motion that Ms. League Advice Counsel, attend the upcoming FARB seminar in Denver, Colorado.

**f. Requirements for Endorsement License:** The Board discussed the endorsement license requirements for South Carolina.

**Motion:** In open session, Dr. Ouzts made a motion to clarify the Chiropractic Examiners Regulation Section 25-2 (3)(B) graduates from a chiropractic college on or after January 1 '87 or '97 must have passed all parts one, two, and three, and passed a practical examination approved by the Board. That particular wording, passed a practical examination approved by the Board, is interpreted to mean a state licensing practical exam.

**ADJOURNMENT**

**Motion:** There being no other Board business. Dr. Hughes made a motion to adjourn the meeting at 12:25 p.m. The motion was seconded and approved.

  
Administrator

8/7/2015  
Date